

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ESSEX INSURANCE COMPANY  
a Virginia Corporation

Plaintiff,

v.

CASE NO: 05-CV-74245  
Honorable Julian A. Cook, Jr.  
Magistrate Judge Donald A. Scheer

TORRI-MAX, INC, a Michigan Corporation,  
d/b/a Maxie's Lounge, BRIAN LEWIS,  
JAMES SPOHN, EDWARD LUHELLIER,  
GARY CLARK, RAPHAEL PETTIFORD and  
TRACY PETTIFORD

Defendants

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EVAN A. BURKHOLDER (P67986)  
Wright, Robinson, Osthimer & Tatum  
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**AGREED ORDER GRANTING PLAINTIFF ESSEX INSURANCE  
COMPANY'S MOTION TO SUBSTITUTE A PARTY**

This matter having come before the Court upon the stipulation of counsel for the parties to grant Plaintiff's Motion for substitution of a Party pursuant to Rule 25(a) of the Federal Rules of Civil Procedure and in accordance with the attached Stipulation, and the Court being otherwise fully advised in the premises:

IT IS HEREBY ORDERED and ADJUDGED that ESSEX INSURANCE is hereby granted leave to substitute ROBERT GERBIG, Administrator of the Estate of Tracy Pettiford for TRACY PETTIFORD, as a party defendant.

IT IS SO ORDERED:

Date: January 4, 2007

s/ Julian Abele Cook, Jr.  
HON. JULIAN A. COOK, JR.  
U. S. District Court Judge

I stipulate to the entry of the above order:

I stipulate to the entry of the above order:

/S/ Evan A. Burkholder

/S/ Michael A. Kowalko

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EVAN A. BURKHOLDER (P67986)  
Attorney for Plaintiff Essex Insurance

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TOM R. PABST (P27872)  
MICHAEL A. KOWALKO (36893)  
Attorney for Defendant Rafael Pettiford

I stipulate to the entry of the above order:

/S/ Donald G. Rockwell

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DONALD G. ROCKWELL (P26723)  
Attorney for Torri-Max, Inc.